



Attorney Docket No.: 6122.500-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Xu et al.

Confirmation No: 3855

Serial No.: 09/834,560

Group Art Unit: 1761

Filed: April 13, 2001

Examiner: A. Corbin

For: Methods For Producing Potato Products

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

Mail Stop Amendment  
Commissioner for Patents  
Washington, DC 20231

Sir:

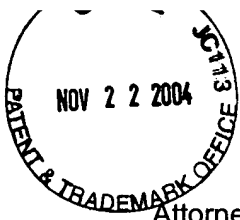
I hereby certify that the attached correspondence comprising:

1. Amendment Fee Transmittal (in duplicate)
2. Amendment

is being deposited with the United States Postal Service as first class mail in an envelope addressed to the address indicated above on November 18, 2004.

Seleste A. Buriani  
(name of person mailing paper)

Seleste A. Buriani  
(signature of person mailing paper)



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**AMENDMENT FEE TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for the above-identified application in response to the Advisory Action mailed **October 27, 2004**.

It is respectfully requested that the time for response to the Advisory Action be extended for a period of **2** months from **October 7, 2004** to **December 6, 2004**. The required fee for the extension is estimated to be **\$420.00**. An extension for 1 month has already been secured and the fee paid therefor of \$ 110.00 is deducted from the total fee due for the total months of extension now requested. The fee for this extension (\$ 420.00 ), minus the fee previously paid (\$ 110.00 ) equals \$ 310.00 (total fee due).

No additional claims fee is required.

Please charge the required extension and claims fees, estimated to be **\$310.00**, to Novozymes North America, Inc., Deposit Account No. 50-1701. A duplicate of this sheet is enclosed.

Respectfully submitted,

Robert L. Starves, Reg. No. 41,324  
Novozymes Biotech, Inc.  
1445 Drew Avenue  
Davis, CA 95616  
(530) 757-8100

Date: November 18, 2004

11/23/2004 EABUBAK1 00000072 501701 09834560

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Response under 37 CFR 1.116  
Expedited Procedure  
Examining Group 1761

Attorney Docket No. 6122.500-US

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Examiner: A.L. Corbin

For: Methods For Producing Potato Products

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This communication is in response to the Advisory Action dated October 27, 2004. Claims 1, 2, 4-8, 10-14, 16, 17, 20, 22, 24, 25, 35, and 39-43 are pending in the present application.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the following remarks is requested.

**I. The Rejection of Claims 1, 2, 4-8, 10, 11, 14, 16, 17, 20, 22, 24, 25, 35, and 39-43 under 35 U.S.C. § 103**

Claims 1, 2, 4-8, 10, 11, 14, 16, 17, 20, 22, 24, 25, 35, and 39-43 remain rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamashita (U.S. Patent No. 5,312,631) in view of Fan *et al.* (U.S. Patent No. 4,503,127) for the reasons of record. The Advisory Action states: "[T]he origin of the pectinase enzyme is irrelevant as long as the enzyme is present during treatment of the potatoes." This rejection is respectfully traversed for the reasons of record and for additional reasons discussed below.

The Office Action argues that Fan *et al.* supports an exogenous enzyme, viz. pectin